

## Abandonment Application

The following Application was abandoned after attempting to contact applicant by telephone for one of the following reasons:

415-856-6500

JAMES E. EAKIN

- ☐ Application abandoned per call to applicant on this date \_\_\_\_\_.
- ☐ No response to telephone call to applicant on this date \_\_\_\_\_.
- ☐ Applicant no longer available at telephone numbers given.
- ☒ <sup>called</sup> Telephone number disconnected as of this date 1/21/00.
- ☐ Attorney no longer associated with application as of this date \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.

called 1/21/00 >



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/909,297

06/08/97

HORGAN

FI

36212, 80006

0212/0121

GRAHAM S. JAMES  
200 HANSEN WAY  
PALO ALTO CA 94304

NOT ASSIGNED

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DATE MAILED:

01/21/00

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53(f) or (g)**  
**(Filing Date Granted)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on July 28, 1999.

- ☒ No reply was received.
- ☐ The reply received on \_\_\_\_\_ was untimely.
- ☐ The reply received on \_\_\_\_\_ was improper. The reply did not include:
- ☐ 1. The surcharge under 37 CFR 1.16(e) required for filing the basic filing fee or oath or declaration on a date later than the filing date of a nonprovisional application.
  - ☐ 2. The surcharge under 37 CFR 1.16(f) required for filing the basic filing fee or cover sheet on a date later than the filing date of a provisional application.
  - ☐ 3. The full amount of the basic filing fee under 37 CFR 1.16 (a), (f), (g), (k).  
(Note: A nonprovisional application may not be relied on for benefits under 35 U.S.C. 120 and 37 CFR 1.78 unless the processing and retention fee set forth in 37 CFR 1.21(l) is paid within the one year period set forth in 37 CFR 1.53(f). A provisional application may not be relied on for benefits under 35 U.S.C. 119(e) and 37 CFR 1.78 unless the basic filing fee is paid).
  - ☐ 4. The oath or declaration of all the inventors required under 37 CFR 1.63 for this nonprovisional application.
- ☐ The letter of Express Abandonment filed on \_\_\_\_\_ is acknowledged.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

**PART 3-OFFICE COPY**